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EXAMINER	
CHOWDHURY, SUMAIYA A	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/911,186	EBISU ET AL.	
	Examiner	Art Unit	
	Sumaiya A. Chowdhury	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-29 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-29 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 8/16/04 & 11/22/04
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 1 and 11 are objected to because of the following informalities:

In claim 1, line 15, "said selection device" should be changed to --selector— because the selection control device cannot control itself.

In claim 11, line 10, "devoce" should be changed to –device--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6, 7, 11 - 14, 16, 17, 20, 22, 23, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Chaney (5,642,153).

Considering claim 1, Chaney discloses a television receiver (IRD receiver 612–Fig. 6-8), comprising:

(a) a selector (tuner 734 – Fig.7) for receiving television broadcasting signals;

(b) the selector selecting one of the television broadcasting signals (col. 7, lines 1-2);

(c) a display element (TV Receiver 611 – Fig. 6) for displaying a video based on a video signal of the television broadcasting signal selected by said selector (The user selects a program to view via the display element and remote control unit– col. 5, lines 40-50. Once the channel transponder carrying a desired television program is tuned, the video signal for that program can be selected. – col. 6, lines 8-12.);

(d) a storage device (memory unit – col. 3, lines 66-67) for storing program selection information (program selection information comprises of a set of data known as master program guide - MPG) to be used to control said selector and channel numbers in a coordinated relationship and storing program-relating information (executable computer programs); (The MPG comprises of information to map virtual channels to transponder frequencies - col. 3, lines 18-30. In addition to receiving television programs, executable computer programs are also received - col. 4, lines 9-16)

(e) said program-related information to be used for execution of object processing programs and the channel numbers in a coordinated relationship (col. 4, lines 9-16; col. 3, lines 18-30);

(f) an acceptance device (remote control – Fig. 7) for accepting a selective input of a channel number from a user (col. 5, lines 40-50, col. 7, lines 5-6 & lines 18-23);

(g) a readout device (System Microcontroller 706 – Fig. 7) for reading out information corresponding to the channel number accepted by said acceptance device from said storage device (The microcontroller (706) controls the interface between the IRD and the user via an IR link 725 - col. 7, lines 3-6. After accepting the input, the

MPG stored in the memory unit is used to map the input of the user to display the video – col. 3, lines 18-30 & lines 66-67);

(h) a selection control device (706 – Fig. 7) for controlling, when the information read out by said readout device (706 – Fig. 7) is the program selection information, said selection device based on the program selection information (Based on the user's input, the microprocessor (706) sends a frequency signal to the tuner (734) - col. 7, lines 18-25); and

(i) a program execution device (microcontroller 706 – Fig. 7) for executing, when the information read out by said readout device is the program-relating information, a program in response to the program-relating information (The microcontroller controls all the processes in the receiver system - col. 4, lines 9-20, col. 7, line 3).

Considering claim 2, Chaney discloses a television receiver wherein said acceptance device (remote control) includes channel up/down keys for accepting selective inputs of the channel number in forward and reverse directions, respectively (col. 5, lines 42-45).

Considering claim 3, Chaney discloses a television receiver, wherein the program-relating information coordinated with at least one of the channel numbers relates to a processing program which can be executed by said television receiver itself (The television receiver receives executable computer program on various channels.

MPG comprises of information to map virtual channels to transponder frequencies - col. 3, lines 18-30, col. 4, lines 9-16).

Considering claim 4, Chaney discloses the television receiver further comprising a communication device (Antenna 605, 705, 805 – Fig 6-8) for connecting said television receiver to a communication network (satellite communication network 613 – Fig. 6 & 8), and wherein the program-relating information coordinated with at least one of the channel numbers relates to a program to be executed to allow at least said television receiver to receive information through said communication device - col. 3, lines 18-30, col. 4, lines 9-16, col. 6, lines 48-52.

Considering claim 6, Chaney discloses the television receiver comprising a communication device (Antenna 605, 705, 805 – Fig. 6-8) for connecting said television receiver to a communication network (satellite communication network 613 – Fig. 6 & 8), and transmission information storage device (memory unit) for storing transmission information (MPG – Fig. 1 & 2) to be transmitted through said communication device, and wherein the program-relating information coordinated with at least one of the channel numbers relates to a program to be executed to cause at least display information of the transmission information stored in said transmission information storage device to be displayed on said display element (The MPG is received by the satellite and saved onto the memory unit – col. 3, lines 60-67. The MPG comprises of

transmission information – col. 4, lines 20-67, Fig.1 & 2. The transmission information is the content that is received, the program guide.).

Considering claim 7, Chaney discloses the television receiver comprising display information storage device (memory unit) for storing display information (program guide screen display – Fig. 3) to be displayed on said display element (TV receiver 611- Fig. 6), and wherein the program-relating information coordinated with at least one of the channel numbers relates to a program to be executed to cause at least a video corresponding to the display information stored in said display information storage device to be displayed on said display element (The MPG which is the program guide is saved in the memory unit. The MPG relates program titles, their start and end times, and a virtual channel number to be displayed to the user - col. 3, lines 18-23 & 65-67, col. 5, lines 39-50, The program components and virtual channels of the program guide are interrelated by the SCID – col. 4, lines 37-42. A user selects to view a program comprising of video content listed in the program guide – col. 5, lines 40-50, col. 4, lines 27-29).

Claims 11 & 20 contain the limitations of claim 1 and are analyzed as previously discussed with respect to that claim.

Claim 12 contains the limitations of claim 2 and is analyzed as previously discussed with respect to that claim.

Claims 13 & 22 contain the limitations of claim 3 and are analyzed as previously discussed with respect to that claim.

Claims 14 & 23 contain the limitations of claim 4 and are analyzed as previously discussed with respect to that claim.

Claims 16 & 25 contain the limitations of claim 6 and are analyzed as previously discussed with respect to that claim.

Claims 17 & 26 contain the limitations of claim 7 and are analyzed as previously discussed with respect to that claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, 8, 15, 18, 24, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Sorensen (6.598,226).

Considering claim 5, Chaney discloses a television receiver comprising a communication device (Antenna 605, 705, 805 – Fig 6-8) for connecting said television receiver to a communication network (satellite communication network 613 – Fig. 6), and received information storage device (memory unit) for storing received communication received through said communication device (col. 3, lines 63-67, col. 4, lines 1-4), and wherein program-relating information coordinated with at least one of the channel numbers relating to a program to be executed. However, Chaney fails to disclose that the display information of the received information stored in said received information storage device is to be displayed on said display element.

In an analogous art, Sorensen discloses that the executable programs associated with their respective channel number are stored in memory (20, received information storage device). The new received information is then displayed on a menu (32) on a display element for the user to select from – col. 3, lines 55-60, col. 4, lines 37-50.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Chaney's system to include program-relating information coordinated with at least one of the channel numbers relating to a program to be executed to cause at least display information of the received information stored in said received information storage device to be displayed on said display element, as taught by Sorensen, for the advantage of providing the user an updated menu of received content on a television receiver.

Considering claim 8, Chaney discloses the television receiver further comprising instruction input acceptance device (microcontroller 706) for accepting a display instruction input (SELECT key) of a list (program guide) of the information stored in said storage device (col. 7, lines 3-7, col. 5, lines 40-50). However, Chaney fails to disclose a list display signal formation device for forming, when an instruction to display the list is accepted by said instruction input acceptance device, a displaying signal for displaying the list of the information stored in said storage device on said display element.

In an analogous art, Sorensen discloses that the operator interface module (21-Fig. 1) can display the menu (32, list). The menu could be displayed on a designated channel to which the user could tune when desired – col. 4, lines 38-47. The list of the information stored in memory (20) is displayed – col. 3, lines 55-59, col. 4, lines 7-12.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Chaney's system to include a list display signal formation device for forming, when an instruction to display the list is accepted by said instruction input acceptance device, a displaying signal for displaying the list of the information stored in said storage device on said display element, as taught by Sorensen, for the advantage of providing the user with the convenient function of displaying a menu when desired by the user, which can only be displayed by the operator interface module in the receiver.

Claims 15 & 24 contain the limitations of claim 5 and are analyzed as previously discussed with respect to that claim.

Claims 18 & 27 contain the limitations of claim 8 and are analyzed as previously discussed with respect to that claim.

4. Claims 9 & 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Sorensen as applied to claims 8 & 27 above, and further in view of Usui (6,075,570).

Considering claim 9, Chaney and Sorensen discloses that the said readout device (microcontroller 706) uses a channel number corresponding to a display item of the list displayed at the selected position of said display screen detected by selected position detection device as a channel number selected by the user (The microcontroller (706) controls the interface between the remote control and the receiver. When the user selects a program on the display screen, the x and y position of the cursor is evaluated to derive virtual channel and program guide information – col. 5, lines 40-50). However, Chaney and Sorensen fail to disclose that the television receiver comprises of touched position detection device.

In an analogous art, Usui discloses a television receiver comprising touched position detection device (touch panel 262 – Fig. 16) provided on a display screen (LCD panel 261 – Fig. 16) of said display element for detecting a touched position of said display screen touched by a user (col. 15, lines 34-45).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Chaney's system to include a touched position detection device, as taught by Usui, for the advantage of providing the user the convenience of only using a finger to select a desired program on a television receiver.

Claim 28 contain the limitations of claim 9 and is analyzed as previously discussed with respect to that claim.

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Ellis (6,470,497).

Considering claim 21, Chaney discloses that the program execution method wherein, in the step of accepting, selective inputs of the channel number are accepted successively – col. 5, lines 42-45. However, Chaney fails to disclose that the channel numbers are accepted in a forward or reverse direction of the channel number.

In an analogous art, Ellis discloses that when a directional arrow key is pressed, the user controls the scan to go forward or backward in the channel sequence – col. 10, lines 23-34.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Chaney's system to include channel numbers which are accepted in a forward or reverse direction of the channel number by the system, as taught by Ellis, for the advantage of providing the user the convenience of browsing in a

backward or forward sequence without having to input in a specific channel number each time to view a channel.

6. Claim 10, 19, & 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney in view of Menand (5,563,648).

Considering claims 10, Chaney fails to disclose a television receiver wherein said program execution device executes the program from a process which was being executed upon switching from a channel number to which the program is allocated to another channel number.

In an analogous art, Menand discloses a system in which a user first deactivates a current AVI program. The user then changes channels or performs other normal remote control functions. Following that, the user may then switch back to the AVI program – col. 12, lines 25-41.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Chaney's system to include a program execution device which executes the program from a process which was being executed upon switching from a channel number to which the program is allocated to another channel number, as taught by Menand, for the advantage of providing the user the convenience of switching between two channels without loosing where the user last left off in a television receiver.

Claim 19 & 29 contain the limitations of claim 10 and is analyzed as previously discussed with respect to that claim.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC

CHRIS GRANT
PRIMARY EXAMINER